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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/655,959	09/04/2003	Yew Teng Too	006404.P010	1957
8791 7590 12/15/2005 BLAKELY SOKOLOFF TAYLOR & ZAFMAN 12400 WILSHIRE BOULEVARD SEVENTH FLOOR LOS ANGELES, CA 90025-1030			EXAMINER RAMOS FELICIANO, ELISEO	
			ART UNIT 2687	PAPER NUMBER

DATE MAILED: 12/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/655,959

Applicant(s)

TOO ET AL.

Examiner

Eliseo Ramos-Feliciano

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2687

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-12 and 14-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-12 and 14-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION***Drawings***

1. The drawings are objected to because they are informal. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 1, 3-12, and 14-22** are rejected under 35 U.S.C. 102(b) as being anticipated by Want et al. (US Patent Number 5,825,675; hereinafter "Want").

Regarding **claim 1**, Want teaches a portable digital device (FIG. 4A) having at least two control devices for controlling at least two operating functions of the portable digital device (FIG. 4A, buttons 384, 386, 388; column 7, lines 21-28); a digital display for displaying information (FIG. 4A display 380); and a processor (FIG. 2, processor 180) for rotating the information from a first orientation to a second orientation as a single entity (FIG. 3A to 6B; column 8, lines 11-23), and remapping the at least two control devices to reverse their operating functions to allow for use of the portable digital device in both the first orientation and the second orientation (FIG. 4A and 4B; buttons 388 and 384; column 7, lines 43-58); wherein the at least two operating functions are selected from the group consisting of: skip forward, skip back, increase volume, decrease volume, menu display move to the right, and menu display move to the left (FIG. 3A to 6B; column 10, lines 18-39; column 7, lines 16-58).

Regarding **claim 2**, Want further teaches the limitations in FIG. 6A and 6B; column 10, lines 18-39.

Regarding **claim 3**, Want further teaches the limitations in column 10, lines 18-48.

Regarding **claim 4**, Want further teaches the limitations in column 10, lines 18-48.

Regarding **claim 5**, Want further teaches the limitations in column 10, lines 18-48.

Regarding **claim 6**, Want further teaches the limitations in FIGs. 4A and 4B.

Regarding **claim 7**, Want further teaches the limitations in FIGs. 3A-3D.

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Regarding **claim 8**, Want further teaches the limitations in FIGs. 3A-3D.

Regarding **claim 9**, Want further teaches the limitations in FIGs. 3A-3D.

Regarding **claim 10**, Want further teaches a memory (FIG. 2, memory 172) containing a key map, a first table corresponding to the first orientation, and a second table corresponding to the second orientation (FIG. 5, tables in blocks 408 and 414).

Regarding **claim 11**, Want further teaches the limitations in column 9, lines 32-55 (the displayed information is processed as bit map).

Regarding **claim 12**, Want teaches a method for reorienting a portable digital device from a first orientation to is a second orientation the method including the steps:

(a) rotating information for display on a digital display of a portable digital device from a first rotation position to a second rotation position (column 9, lines 32-36; FIG. 3A to 6B); and

(b) reversing (column 7, lines 44-47) at least two operating functions of at least two control devices of the portable digital device from a at least one operating function to at least one other operating function (column 9, lines 37-46); wherein the at least two operating functions are selected from the group consisting of: skip forward, skip back, increase volume, decrease volume, menu display move to the right, and menu display move to the left (FIG. 3A to 6B; column 10, lines 18-39; column 7, lines 16-58).

Regarding **claim 13**, Want further teaches limitations of the claim in (FIG. 6A and 6B; column 10, lines 18-39).

Regarding **claim 14**, Want further teaches the limitations in column 10, lines 18-48.

Regarding **claim 15**, Want further teaches the limitations in column 10, lines 18-48.

Regarding **claim 16**, Want further teaches the limitations in column 10, lines 18-48.

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Regarding **claim 17**, Want further teaches the limitations in FIGs. 4A and 4B.

Regarding **claim 18**, Want further teaches the limitations in FIGs. 3A-3D.

Regarding **claim 19**, Want further teaches the limitations in FIGs. 3A-3D.

Regarding **claim 20**, Want further teaches the limitations in FIGs. 3A-3D.

Regarding **claim 21**, Want further teaches a memory (FIG. 2, memory 172) containing a key map, a first table corresponding to the first orientation, and a second table corresponding to the second orientation (FIG. 5, tables in blocks 408 and 414).

Regarding **claim 22**, Want further teaches limitations of the claim in column 9, lines 32-55, FIG. 4A and 4B (displayed information is processed as bit map).

Response to Arguments

4. Applicant's arguments filed September 26, 2005 have been fully considered but they are not persuasive.

5. With respect to *claims 1, 3, 5-12, 14, 16-22*, Applicant argues the Want does not teach the reversal of operational functions that does not appear on the screen.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the reversal of operational functions that does not appear on the screen) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In fact, the claims do not require a screen as argued, nor functions that does not appear on the screen.

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6. With respect to *claims 4 and 15*, Applicant argues the Want does not teach the features of the claims wherein the operation of the knob is reversed.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., wherein the operation of the knob is reversed) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In fact, the claims do not require a knob as argued, nor wherein the operation of the knob is reversed.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

8. Any inquiry concerning this communication from the examiner should be directed to Eliseo Ramos-Feliciano whose telephone number is 571-272-7925. The examiner can normally be reached from 8:00 a.m. to 5:30 p.m. on 5-4/9 1st Friday Off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester G. Kincaid, can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


ELISEO RAMOS-FELICIANO
PATENT EXAMINER

ERF/erf
December 9, 2005